

CITY OF SAN BRUNO



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STAFF

Terry Jackson, *Interim Community Development Director*
Gary Binger, *Interim Planning Director*
Aaron Akin, *AICP, Planning Manager*
Mark Sullivan, *AICP, Housing and Redevelopment Manager*
Lorraine Weiss, *Contract Planner*
Adam Finestone, *Recording Secretary*
Pamela Thompson, *City Attorney*

PLANNING COMMISSIONERS

Joe Sammut, *Chair*
Sujendra Mishra, *Vice-Chair*
Mary Lou Johnson
Bob Marshall Jr.
Kevin Chase
Rick Biasotti
Perry Petersen

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

February 15, 2005
San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:00pm

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Sammut	X	
Vice Chair Mishra	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Chase	X	
Commissioner Biasotti	X	
Commissioner Petersen	X	

STAFF PRESENT:

Planning Division: Interim Community Development Director: Terry Jackson
Interim Planning Director: Gary Binger
Planning Manager: Aaron Akin
Housing and Redevelopment Manager: Mark Sullivan
Contract Planner: Lorraine Weiss
Interim Department Secretary: Adam Finestone

City Attorney: Pamela Thompson

City Manager: Connie Jackson

Pledge of Allegiance Commissioner Biasotti

1. Approval of Minutes January

Motion to Approve minutes of January 18, 2005 Planning Commission Meeting

Peterson/Marshall

VOTE: 7-0
AYES: All Commissioners
NOES:
ABSTAIN:

2. Communication

None at this time

3. Public Comment

None at this time

4. 741 San Mateo Avenue

Description: Police Department requests that the Planning Commission conduct a hearing to receive testimony and consider any other relevant evidence to determine:

1. Whether or not the conduct, management and maintenance of the Deemed Approved Activities at the Crossroads Tavern, conforms with the performance standards set forth in Chapter 5.22 of the San Bruno Municipal Code;
2. Whether or not abatement conditions should be imposed; or
3. Whether or not the Deemed Approved Status should be revoked.

Planning Manager Aknin stated that staff recommends that this item be continued to the April 19, 2005 Planning Commission meeting. City Attorney Thompson called forward the attorney representing Crossroads Tavern (741 San Mateo Ave.) to confirm some information from the Statement of Waiver on the record.

Joe Alford, representing Crossroads Tavern, Lilly Lee and US Phobee International Business Development introduced himself for the record. He stated that he is seeking a continuance on the Crossroads' behalf until April 19, 2005, in order to prepare for the hearing and to pursue alternative settlement discussions with City Staff.

City Attorney Thomson asked Mr. Alford if he agreed and stipulated, on behalf of his clients, that he has received full and fair notice of the proposed Planning Commission hearing on April 19, 2005, and that no other notice, written or otherwise, is required. Mr. Alford stated that he has received adequate notice, and will waive any further noticing requirement.

City Attorney Thompson also informed the Chair that he is welcome to take any public comment on this item, as it has been properly noticed, but that no commission discussion may take place as the item has been recommended for continuance until April 19, 2005.

Public Comment Opened

Public Comment Closed for the time being, continued to April 19, 2005.

Motion to continue this item to the April 19, 2005 Planning Commission meeting:

Petersen/Chase

VOTE: 7-0
AYES: All Commissioners
NOES:
ABSTAIN:

5. Capital Improvement Project Budget Review

Request for adoption of a resolution confirming review of the 2004-2005 San Bruno Capital Improvement Budget and its conformance with the San Bruno General Plan.

Planning Manager Aknin stated that this item was presented to the Commission at the December 7, 2004 Planning Commission meeting, at which time the resolution was not available. The resolution is now available, and staff recommends approval.

Motion to introduction the resolution, waive the reading of said resolution (as it has already been read for the record at a previous Planning Commission meeting), and adopt said resolution.

Petersen/Chase

Roll Call vote:

VOTE: 5-0-2
AYES: Sammut, Biasotti, Chase, Johnson, Petersen
NOES:
ABSTAIN: Mishra, Marshall

6. 283 Florida Avenue

Request for a Conditional Use Permit to allow construction of an addition, which proposes to increase the Gross Floor Area by more than 50%, a Variance to allow a substandard sideyard setback, and a Parking Exception failing to meet the minimum

parking standards for an expansion with no off-street parking spaces, 12.200.030.B.1, 12.124.010.A, and 12.200.080.1 of the San Bruno Zoning Ordinance. Andres Burgeno (Owner), Roberto Borja (Applicant/ Architect).

Contract Planner Weiss entered the staff report. This item was continued from the January 18, 2005 Planning Commission due to an error in noticing. Staff recommends approval of UP-04-50, V-04-08 and PE-04-13 subject to Findings for Approval 1-8 and Conditions for Approval 1-14.

Commissioner Marshall questioned whether the window in the existing bedroom meets egress requirements. Contract Planner Weiss stated that it does.

Planning Manager Akinin stated that there are two additional Findings for Approval which are the two necessary findings for a variance. They appear in the body of the Staff Report as Variance Legal Requirements 1 and 2, but not in the Findings for Approval. They will become Findings for Approval 9 and 10 respectively.

Roberto Borja (Applicant/Architect) and Andres Burgeno (Owner) were available to answer any questions.

Mr. Burgeno stated that his reason for this addition is to provide additional space for his family.

Public Comment Opened

Public Comment Closed

Commissioner Johnson asked if the color sample has been provided, as requested. The applicant stated that he had provided a color photograph to Staff, and that the proposed addition will match the current color/roof scheme. Staff provided the photograph to the Commission for their review.

Commissioner Johnson asked the applicant if he was in agreement with all conditions as stated in the staff report. He stated that he was.

Motion to approve UP-04-50, V-04-08 and PE 04-13 subject to Findings of Fact 1-10 and Conditions of Approval 1-14.

Chase/Marshall

VOTE: 7-0
AYES: All Commissioners
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, February 4, 2005, and legal notice published in the San Mateo Times, Saturday, February 5, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single family residential purposes.
8. The on-street parking on the block of the subject property is adequate for this residence.
9. Because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this article will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
10. That the variance granted should be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-50, Variance 04-08, and PE-04-13 shall not be valid for any purpose. Use Permit 04-50, Variance 04-08, and PE-04-13 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on February 15, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.

Department of Public Works

7. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
8. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through an under sidewalk curb drain to the gutter.
9. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
10. A permit shall be required from Parks Department for planting one 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
11. Replace all broken or raised concrete in sidewalk or driveway approach as marked per San Bruno Municipal Code 8.12.010, City Standards 7 & 8.

Fire Department

12. Walk and eaves shall be fire rated with no openings that are closer than 3 feet from property line.
13. Due to limited hydrant fire flow and access issues due to a zero lot line on the east side of the parcel, applicant shall provide NFPDA 13 D modified sprinklers in new construction.
14. Provide illuminated address number.

Chair Sammut advised of 10-day appeal period.

7. 283 Walnut

Vice-Chair Mishra abstained from discussion of this item due to a conflict of interest. He left the room for the duration of this hearing.

Request for a Conditional Use Permit to allow construction of an addition which proposes to increase the Gross Floor Area by more than 50% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Ashwin Prasad (Owner), Sujendra Mishra (Applicant/ Architect).

Contract Planner Weiss entered staff report. Staff recommends approval of UP-04-52 subject to Findings for Approval 1-7 and Conditions for Approval 1-13.

Commissioner Petersen stated that he did not see a condition for adding a sewer cleanout at the property line if there was not one existing already. Contract Planner Weiss stated that if this condition had been necessary, the Public Works department would have stated such, and the condition would have been included in the staff report. Commissioner Petersen stated that he would like to add a condition to install a sewer cleanout at the property line if one does not currently exist. It will be added as Condition of Approval 15.

Ashwin Prasad (Owner) was present to represent his project. He briefly described his project.

Commissioner Johnson suggested that a belly-band, or other architectural relief element be added to the rear elevation. The applicant agreed to this condition, which will be added as Condition of Approval 16.

Public Comment Opened

Public Comment Closed

Motion to approve UP-04-52 subject to Findings of Fact 1-7 and Conditions of Approval 1-16. (In actuality, there was a numbering error in the staff report, and the motion is subject to Conditions of Approval 1-15)

Chase/Petersen

Chair Sammut verified that staff was aware of what Conditions 15 & 16 were. Staff answered in the affirmative.

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN: Mishra (not present during this discussion)

FINDINGS OF FACT

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, February 4, 2005, and legal notice published in the San Mateo Times, Saturday, February 5, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-52 shall not be valid for any purpose. Use Permit 04-52 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on February 15, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.

Department of Public Works

7. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
8. The address number shall be painted on the face of curb near the driveway approach. The address shall be painted in black numbering on white background.
9. Replace all broken or raised concrete in sidewalk or driveway approach as marked per San Bruno Municipal Code 8.12.010, City Standards 7 & 8. Marking shall take place under Building Review.
10. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in right-of-way. (San Bruno Municipal Code 8.24.180 & 8.24.140/150).

11. A permit shall be required from Parks Department for planting one 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
12. During the Building/Planning Review or site visit, it was noticed that a structure was built within the City right-of-way. Per Section 8.08.010 of the San Bruno City Code, this structure is prohibited. The applicant is required to remove the structure at this time.

Fire Department

13. Provide illuminated address number.

Planning Commission

14. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
15. A belly-band is to be placed on the rear elevation.

Chair Sammut advised of a 10-day appeal period.

Vice-Chair Mishra returned.

8. 617/621 Masson Avenue

Request for a use permit and parking exception to allow the conversion of an existing single family home to a Church use (office & missionary guest house) per Section 12.96.060, 12.100.120 & 12.112 of the San Bruno Zoning Ordinance. Raymond Laherrere (owner); House of God in San Bruno (applicant)

Planning Manager Akin entered staff report. Staff recommends approval of UP-04-56 and PE-05-02 subject to Findings for Approval 1-7 and Conditions for Approval 1-15.

Commissioner Marshall asked for why the Fire Department would require sprinklers if no modifications were being done. Planning Manager Akin stated that the reason for sprinklers is not due to an expansion, but rather a change in use.

Lawrence Tom, House of God San Bruno (Applicant) briefly explained his project.

Commissioner Johnson asked the applicant what his hours of usage for the proposed property would be. He stated that the proposed office would be used from 9am – 1pm on Sundays, and only for ministry office use a couple of hours a day during the rest of the week. All other activities would take place at the actual church, not the residence for which this application exists.

Chair Sammut asked for clarification on the use of this property. His belief is that the property is to be used as an office and a bedroom for visiting clergy. The applicant responded in the affirmative.

Commissioner Johnson asked if the property in question would be used for any type of child-related use. Chair Sammut stated that it was his belief that child-related uses were to take place at the church next door, and not at this property. The applicant stated that the Sunday School use would take place at the property in question from 9am – 1pm on Sundays.

Public Comment Opened

Public Comment Closed

Commissioner Marshall asked staff to be very diligent in preparing the minutes with regard to the use of this property, as there have been issues with church uses in residential zones in the past. Planning Manager Akinin stated that the proposed use will be noted very specifically in the minutes.

Motion to Approve UP-04-56 and PE-05-02 based on Findings of Fact 1-9 and Conditions of Approval 1-15.

Petersen/Johnson

VOTE: 7-0
AYES: All Commissioners
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, February 4, 2005, and legal notice published in the San Mateo Times, Saturday, February 5, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: existing facility.

5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property.
6. The conversion is consistent with the San Bruno General Plan.
7. The on street parking on the block of the subject property is adequate for this residence.
8. The strict application of the provisions of this chapter would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.

Reason: The applicant is not proposing any addition to the existing floor area and all existing spaces will remain onsite. Furthermore, a unit will be removed onsite, thereby lessening the overall parking impact on the surrounding neighborhood during non-business hours. The number of parking spaces provided onsite is consistent with many of the businesses located across the street from the subject property on San Mateo Avenue.

9. The establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.

Reason: The applicant is not proposing any addition to the existing floor area and all existing spaces will remain onsite. In the event parking is not available onsite, there is an ample amount of parking available in the nearby commercial parking lots. Employees and patrons of businesses in the nearby area also typically use these lots.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-56, PE-05-02 shall not be valid for any purpose. Use Permit 04-56, PE-05-02 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The improvements associated with the request for a Use Permit and parking exception shall be built according to plans approved by the Planning Commission on February 15, 2005, labeled Exhibit B except as required to be modified by

these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The corridor connecting the main structure to the accessory structure as shown on the plan shall be removed and replaced with an uncovered structure which connects the two buildings.
7. The garage must be used for the storage of a motor vehicle.

Department of Public Works

8. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
9. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
10. A permit shall be required from Parks Department for planting one 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
11. Replace all broken or raised concrete in sidewalk or driveway approach as marked per San Bruno Municipal Code 8.12.010, City Standards 7 & 8.
12. Paint address numbers on face of curb near driveway approach. Black lettering with white background.

Fire Department

13. Due to limited hydrant fire flow and use conversion, applicant shall provide NPFA 13 D modified sprinklers through out entire building.
14. Provide illuminated address number.

Parks & Recreation

15. The applicant shall work with the Parks & Recreation Department to ensure compliance with all aspects of the Heritage Tree Ordinance.

Chair Sammut advised of 10-day appeal period.

9. Adjacent to Water Tank @ Junipero Serra Freeway in Open Space land behind 455-465 Cunningham Way

Request for a conditional use permit to allow installation of a wireless communications facility per Chapter 12.112 & 12.96 of the San Bruno Zoning Ordinance. AT&T Wireless (Applicant), City of San Bruno, (Property owner).

Contract Planner Weiss entered staff report. Staff recommends approval of UP-04-57 subject to Findings for Approval 1-8 and Conditions for Approval 1-17.

Tom Spaulding, representing AT&T Wireless (Applicant) was available to answer any questions regarding this project. He briefly described the project. He stated that the applicant did an independent study regarding the EMF levels to be produced by the site, and found that they are less than 1% of what the FCC mandates as acceptable.

Chair Sammut asked if the antenna was being installed primarily to provide service along Interstate 280. The applicant responded that the antenna will provide service to two sectors: along 280 north of the site and along 280 south of the site. He also stated that it is pointed slightly to the east, and thus will cover a small portion of the City of San Bruno as well.

Public Comment Opened

Murial Attiani, 439 Cunningham Way, stated that the neighbors along Cunningham Way are concerned about cell towers being located in/near a residential area. She stated that cell towers have been known to have adverse health effects. She asked that the cellular tower not be built at the proposed location for the health of the community. She provided a letter with signatures from neighborhood residents. She also stated that a proposal was made for a similar project over five years ago, and that neighborhood opposition was just as strong at that point.

Chair Sammut asked the applicant to address the concerns raised by Ms. Attiani.

The applicant thanked Ms. Attiani for her comments. He stated that health and safety was definitely a consideration with this site. He reiterated that EMF levels will be less than 1% of FCC mandated maximums, and that both antennas will be pointed away from the residences and are at a significant height.

Public Comment Closed

Chair Sammut asked if the applicant had supplied staff with a copy of the EMF report. The applicant answered in the affirmative and specified the document, which was included in the Staff Report.

Chair Sammut asked Contract Planner Weiss if she had reviewed the report, and if she had drawn any conclusions. Contract Planner Weiss stated that she had reviewed the

report, but that she is unable to address any specific medical issues that may or may not result from the installation of the antenna in question.

Commissioner Johnson addressed the Commission's history of reviewing cellular antenna sites. She stated that with the first applications, health issues were definitely a concern. She stated that after a very thorough review of materials within these initial applications, she was very satisfied with the results said review. She stated that without the information that Ms. Attiani referred to, she could not consider that in her decision.

Commissioner Petersen stated his agreement with Commissioner Johnson's comments. He also stated that he would like to add a condition to this item that any deviation from the plans for this antenna would require an additional public hearing to amend the plans as such. He reiterated the Applicant's statements that the antenna (at 50 feet high) are pointed away from the residences, and that EMF levels for this project are 100 times less than FCC mandated maximums. Additionally, he stated that the antenna will be virtually invisible unless you are looking for it.

Motion to approve UP-04-57 based on Findings of Fact 1-8 and Conditions of Approval 1-18

Petersen/Chase

Commissioner Biasotti asked staff what the distance from the antenna to the nearest residence is. Contract Planner Weiss stated that the closest residence to the antenna is approximately 75 feet, measured to the rear property line. Commissioner Petersen state that the closest house sits further than 75 feet away, as it is not built along the rear property line, and the antenna is uphill from this house.

Commissioner Johnson stated that the information the Commissioners received put a greater health risk on a personal cell phone or microwave than on the proposed tower.

Chair Sammut asked staff if there were typically a condition of approval as to the hours allowable for construction. He stated that this application has none. Planning Manager Aknin stated that staff reports generally do have such a condition, but that said condition simply reiterates what is already in the City's municipal code. With the acceptance of the motion maker and second, this condition has been added as Condition 19.

VOTE: 7-0
AYES: All Commissioners
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, February 4, 2005, and legal notice published in the San Mateo Times, Saturday, February 5, 2005.

2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: Infill Development.
5. The general appearance of the proposed wireless antenna facility is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property or persons residing or working in the neighborhood.
6. The proposed new antenna facility will not be injurious or detrimental to property and improvement in the neighborhood or general welfare of the City.
7. The construction of the monopole and cabinet equipment is consistent with the San Bruno General Plan, which designates the property for open space purposes.
8. The proposal will have no impact on off-street parking.

CONDITIONS OF APPROVAL

COMMUNITY DEVELOPMENT CONDITIONS

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-57 shall not be valid for any purpose. Use Permit 04-57 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The proposed installation of a wireless communications facility at APN NO. 019-300-140 shall be built according to the plans and photo simulations approved by the Planning Commission on February 15, 2005 except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Director of Community Development. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside

construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

4. The antennas and facility shall be installed and painted according to the plans as presented in the staff report and painted a pine green color to blend with the surrounding landscape. All mechanical equipment must be screened from view.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. All graffiti shall be removed within 24 hours of reporting.
7. Should this facility cease to operate for a period of six months, all appurtenant structures shall be removed by the applicant.
8. No signs shall be placed on or attached to the antennae.
9. Provide architect or engineer wet-signed/stamped drawings for Building Department review.

Department of Public Works Conditions

10. The applicant must obtain an encroachment permit from the Public Works Engineering Department prior to commencement of work and issuance of the Building Permit. Permit will include requirements for insurance, traffic control plan, and trenching details.
11. The applicant must submit for review and approval an erosion control plan and storm water pollution prevention plan to the Public Works Engineering Department prior to commencement of work and issuance of the Building Permit. These plans must show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. Work shall conform with the current NPDES requirements.
12. Plans must show the existing utilities to the water tank on site.
13. Plans must show existing waterline from Caltrans water meter box, by drive, to where it exits San Bruno property.

Fire Department Conditions

14. A "704 placard" shall be mounted on the cabinets with Battery UPS.

City Attorney's Office Conditions

15. Wireless facility shall not interfere with the City's primary use and operation of its property as a water tank facility.

16. The applicant shall comply with all provisions of the lease agreement. Failure to comply with the provisions of the lease agreement is basis for revocation of this use permit.
17. This use permit shall not be valid until the lease agreement is authorized by the City Council.

Planning Commission Conditions

18. Any deviation from the Commission-approved plans shall require an additional public hearing and Planning Commission approval.
19. This condition already exists as Community Development Condition # 3.

Chair Sammut advised of 10-day appeal period.

Ms. Attiani asked why the applicant had chosen to locate the antenna in an area with homes. Chair Sammut told her that the hearing for this item was now closed, and that she could address such questions to the applicant, Tom Spaulding, outside of the meeting room.

10. 1150 El Camino Real (Shops At Tanforan)

Request for a use permit for a proposed restaurant to allow alcoholic beverage sales per San Bruno Ordinance 1685. BJ's Restaurant, Inc. (Applicant); Shops at Tanforan (Owner)

Planning Manager Akin entered staff report. Staff recommends approval of UP-05-01 subject to Findings for Approval 1-8 and Conditions for Approval 1-16.

Commissioner Biasotti asked if this permit was for beer and wine only or a full bar. Planning Manager Akin stated that it is for a full bar.

Mark Laguna, representing BJ's Restaurant briefly explained his application. He stated that BJ's is a very family oriented restaurant with great price-points that will serve as a gathering place for family and friends.

Commissioner Johnson asked if the restaurant will have space for private parties and/or banquet rooms. The applicant replied in the affirmative, stating that there is typically a back area that can function as a private banquet facility. She also asked if the restaurant was menu-driven or beverage-driven. The applicant stated that it is definitely menu-driven, with food providing about 70% of revenues.

Commissioner Petersen asked the applicant if he was familiar with Ordinance 1685, and if he was in agreement with the Conditions of Approval for this item. He stated that he was not aware of Ordinance 1685, but was in agreement with the Conditions of

Approval. Commissioner Petersen stated that the applicant will likely be the largest establishment serving liquor in San Bruno. As such, he wanted to make sure the applicant was aware of Ordinance 1685 since it deals with the maintenance of order in establishments that serve liquor. The applicant stated that alcohol service and regulations are taken very seriously by the restaurant and it's staff.

Public Comment Opened

Public Comment Closed

Motion to approve UP05-01 subject to Findings of Fact 1-8 and Conditions of Approval 1-16

Johnson/Chase

VOTE: 7-0
AYES: All Commissioners present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on February 4, 2005, and legal notice published in the San Mateo Times, Wednesday, February 5, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities.
5. The proposed beer, wine & liquor sales for a restaurant at 1150 El Camino Real will not under any circumstances, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood.
6. The proposed beer, wine & liquor sales for a restaurant at 1150 El Camino Real will not be injurious or detrimental to the property and improvement in the neighborhood or to the general welfare of the city.

7. The proposed beer and wine sales for the existing restaurant at the subject location is consistent with the San Bruno General Plan and Redevelopment Plan.
8. The project is consistent with the intent of San Bruno Ordinance No. 1685.

CONDITIONS OF APPROVAL

Community Development Department

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 05-01 shall not be valid for any purpose. Use Permit 05-01 shall expire one (1) year from the date of approval unless the plan is executed.
2. The applicant and any successor in interest, shall agree to operate the restaurant at 1150 El Camino Real in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
3. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
4. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front and rear of the building.
5. The permitted hours of operation of the restaurant shall be as follows:
Sunday – Thursday: 11:00 A.M. – 1:00 A.M.
Friday – Saturday: 11:00 A.M. – 2:00 A.M.
6. Any changes from the approved hours of operation shall require prior authorization of the Community Development Director.
7. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior.
8. The applicant shall comply with all Alcohol and Beverage Control requirements.
9. The applicant shall comply with all aspects of San Bruno Ordinance 1685 (refer to attachment). Non-compliance with these conditions may result in revocation of the use permit.

10. The applicant shall meet all San Mateo County Health Department requirements regarding the operation of a restaurant.
11. The applicant shall provide the signed copy of the Summary of Hearing (SOH) to the Alcohol, Beverage and Control Board. This SOH will serve as the Letter of Public Convenience or Necessity as required by the California Department of Alcoholic Beverage Control (ABC),

Police Department

12. All violations of the law, or threatened violations of the law shall be immediately reported to the San Bruno Police Department and full cooperation by employees and management shall be given.
13. Any request by anyone in the establishment for an employee to contact the Police shall be immediately honored, without question.
14. Labor Code section 6404.5 regulating smoking shall be enforced at all times.
15. Management shall post all Police Department conditions of approval under load occupancy sign.
16. Signs shall be posted in business indicating patrons must be 21 years old to consume alcoholic beverages.

Chair Sammut advised of 10-day appeal period

11. The Village at the Crossing Senior Apartments (Northwest Corner of National Avenue and Commodore Drive (Parcels 5 & 6) - Navy Site Specific Plan Area

Request for a Planned Development Permit and Architectural Review Permit to construct a 228-unit, four (4) story age-restricted apartment building, with one level of underground parking, on Parcels 5 & 6 of The Crossing for the purpose of developing the site in conformance with the adopted U.S. Navy Site Specific Plan, per Chapters 12.96.190 and 12.108.010 (A) of the San Bruno Zoning Ordinance. KDF Communities, LLC (Owner/Applicant), Kwan Henmi Architects, Inc. (Architect)

Housing and Redevelopment Manager Sullivan entered staff report. Staff supports the proposal and recommends approval of PDP-04-02 and AR-04-12 subject to Findings for Approval 1-8 and Conditions for Approval 1-83, as well as any conditions or modifications which the Planning Commission may suggest at this hearing.

Commissioner Petersen questioned the format of the Floor Area Ratio and Lot Coverage figures. He stated that for residential applications, these figures are usually given as a percentage, whereas it is given as a decimal for this application. He recommended that these figures be changed to percentages so as to maintain

consistency with other applications. He also questioned if residents would have access to the top floor of the front towers, as it would provide quite a view. Housing and Redevelopment Manager Sullivan informed him that the top tier of windows was not a habitable space, and as such, not residents would be allowed access to that area. Commissioner Petersen stated his disappointment that the portion of the building with the best view would not be accessible. However, he does believe that the project is very impressive when taken as a whole.

Commissioner Chase stated that the Architectural Review Committee spent a great deal of time reviewing this project, and evaluated it for more than just the colors of the facades. Housing and Redevelopment Manager Sullivan agreed with Commissioner Chase's observations regarding the Architectural Review Committee's consideration of this project.

Ray Harper, representing the applicant KDF Communities, introduced his project team to the Commission: David Dawson of Citizens' Housing, Rod McDonald of KDF Communities, Dennis Henmi and Joe Landry of Kwan-Henmi Architects. Ray Harper gave a PowerPoint presentation of the proposed project. He also showed the Commission a color board of the proposed project. He stated that it is his belief that KDF Communities has taken into consideration input from all avenues with regard to this project. Accordingly, The Village at the Crossing will provide an assisted-living-like atmosphere at approximately $\frac{1}{2}$ to $\frac{2}{3}$ rd the cost of a conventional assisted living facility.

Commissioner Petersen stated that he sees this project as a miracle, since a Senior Housing project of this sort has been discussed for at least 20 years. He also recommended a change in the text of Condition of Approval #22 to read "shall" instead of "should". Commissioner Petersen stated that his understanding is that the Police Department would like to see CCTV, but there is no requirement in the Staff Report to have it. Housing and Redevelopment Manager Sullivan confirmed this belief. Commissioner Petersen also questioned Condition of Approval #43, which reads, "If a fire alarm system is installed..." He asked if there were a requirement for a fire alarm system in this project. Housing and Redevelopment Manager Sullivan informed Commissioner Petersen that he would need to get in contact with the Fire Marshall regarding this Condition. The applicant, Ray Harper, stated that there will be a fire alarm system, and that each resident will have access in their unit to this system. Commissioner Petersen recommended the changing the text of Condition of Approval #43 to read, "A fire alarm system shall be installed, and..."

The applicant, Ray Harper, thanked Commissioner Petersen for his compliments on the project.

Commissioner Johnson stated her pleasure that the project is coming to fruition, and that she finds the architectural design of the project appealing. She asked the applicant if he had read the letter from concerned citizen Alice Barnes regarding the project. The applicant stated that he had read Ms. Barnes letter. He stated that there is a term in Senior Housing called Assisted Living, for which there are specific building codes, medical requirements, etc. He stated that Assisted Living Facilities are not being built anymore due to prohibitive costs and financial feasibility. According to the applicant, a

trend has begun, of which the Village at the Crossing is an example, to get to a similar result as an assisted living facility without requiring payment for services not needed. Commissioner Johnson stated that the applicant's response did adequately address Ms. Barnes' concerns.

Commissioner Chase asked the applicant how maid-service would be contracted out for. The applicant stated that maid service would not be subsidized by the project, but that he hoped that a significant amount of residents would use it in order to obtain a quantity discount. He stated that the contract would be directly with the resident, not with the facility. Commissioner Chase also asked if there was a plan for more of an "Assisted-Living" type project as the facility and its' residents aged. The applicant stated that this was not in the works. He also stated that the project's intent is to foster a sense of community.

Commissioner Mishra asked the applicant if he was using any green building materials. The project architect, Dennis Henmi, stated that green-building materials would be used, but he was not aware at this time as to the percentage of green materials. Commissioner Mishra also addressed the glass-faced towers with regard to energy usage and air conditioning. The project architect stated that they are in the process of drafting their Title 24 energy calculations, and that the actual units will not be affected by direct sunlight in the way the common areas may.

Commissioner Biasotti asked what the makeup of handicapped units is. The applicant stated that the project would meet handicapped requirements. He also stated that each unit can be adaptable for handicapped access, but that initially, people will not rent units that are designed for handicapped persons if they do not currently need them.

Public Comment Opened

Eve Schindler, a member of the Citizens Advisory Committee for the Navy Site Specific Plan, stated that some of their recommendations seem to have gotten lost in the shuffle. She stated that the committee definitely wanted some assisted living, and wanted the project to be age restricted to 62 and older, not 55. She also questioned the low-income aspect of the project, and asked if there would be a restriction if people had higher incomes. She also stated that she believed there should be an elevator at the rear of the building, and questioned if there would be laundry facilities on every floor. Additionally, she questioned if medical care would be available.

Public Comment Closed

The applicant was given the opportunity to respond to Ms. Schindler's comments. He stated that there will be laundry facilities on each floor. He stated that the project anticipated a visiting nurse. He stated that he doubts people under 60 would actually rent at this project, but wants to be able to have it available for those who want to move in at 55 and stay for many years to come. With regard to the low-income aspect of the project, he assured Ms. Schindler that affordability was necessary, but that it wouldn't create a situation where the average senior could not live there because they had too high of an income. As for elevators, the design does not provide for an elevator at the

rear for safety reasons. Additionally, having all elevators centralized provides for more efficient service.

Motion to approve PD-04-02 and AR-04-12 subject to Findings of Fact 1-8 and Conditions of Approval 1-83.

Petersen/Chase

VOTE: 7-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, February 5, 2005, and notice mailed to property owners within 300 feet of the project site on February 4, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140. This project automatically goes to the City Council.
4. The proposed planned development permit amendment to allow construction of a 228-unit apartment building at the former Navy Site (Crossing Parcels 5 & 6) will not unreasonably restrict or interfere with light and air on the property and other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, is consistent with the design and scale of the neighborhood and the use is compatible with existing uses in the area.
5. If the conditions of approval are met, the general appearance of the property will be in keeping with the character of the area, and will not be detrimental to the orderly and harmonious development of the City, and will not impair the desirability of investment or occupation in the neighborhood because the proposal is consistent with the Specific Plan for the site.
6. The proposal is consistent with the San Bruno General Plan, which calls for the area to be used for high-density residential purposes as amended with the Specific Plan.

7. The conditions of approval imposed on this application should provide sufficient control mechanisms to reduce potential negative impacts that may be associated with the proposed project.
8. The project conforms to the Environmental Impact Report prepared for the site.

CONDITIONS OF APPROVAL

General

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of approval of PDP-04-02 and AR-04-12. Until such time as the Summary is filed, these permits shall not be valid for any purpose. These permits shall expire one (1) year from the date of City Council approval unless a building permit has been secured prior to the one (1) year date.
2. The project shall be built according to plans approved by the Planning Commission on February 15, 2005, included as an attachment except as required to be modified by the Conditions of Approval, City Council action, and/or agreement between applicant and Staff regarding the specific design issues raised in the staff report. Any modification to the approved plans shall require review and approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. All proposed business identification signs shall require prior city approval in accordance with The Crossing Master Signage Program.
6. The property is subject to a Maintenance Agreement between Martin/Regis San Bruno Associates, LLP and the City, recorded in the Official Records of San Mateo County as Document No. 2002-258605.
7. Trash containers must at all times be stored in appropriately designated trash areas.
8. The applicant shall provide regular cleaning of debris and litter on the property.

9. The applicant shall provide prompt cleaning/repainting of any graffiti on all building exteriors.
10. The applicant shall provide adequate water, sewer collection, storm drain and utility distribution systems to service the site. The applicant shall ensure adequate emergency vehicle access and fire hydrant coverage.
11. The following terms and conditions shall be complied with, perpetually go with the land and are hereby incorporated by reference and are summarized as follows (Vesting Tentative Map COA #4):
 - a. The applicant shall comply with all terms and conditions in the Approved Development Agreement (DA), as shown in the City Council Ordinance 1653, and adopted January 8, 2002, which became effective thirty (30) days thereafter, and recorded 1/24/2002, O.R. Document #2004-023306, Assessor-County Clerk-Recorder, San Mateo County, and as may be amended from time to time, that were or are being assigned to the applicant pursuant to an Assignment and Assumption Agreement.
 - b. The applicant shall comply with the approved mitigation monitoring and reporting
12. The applicant shall provide proof of payment to outside utility providers for all required service fees for this phase of construction (Vesting Tentative Map COA #8)
13. The development shall meet all the set back requirements as outlined in the Specific Plan and to the satisfaction of the Building Official, Planning Director, and City Engineer (Vesting Tentative Map COA #23).
14. The project shall include and meet all the necessary requirements of the City of San Bruno, and San Mateo Countywide Stormwater Pollution Prevention Program to the satisfaction of the City Engineer (Vesting Tentative Map COA #41).
15. A plan showing the location of any temporary contractor's storage yard or construction trailer on the property, including security fencing and lighting, shall be submitted to the Architectural Review Committee for approval prior to installation. Interim landscaping may be required by the ARC to screen a storage yard (Vesting Tentative Map COA #109).
16. Applicant shall defend, indemnify, and hold harmless the City of San Bruno, its agents, officers and employees from any claim, action or proceeding against the City of San Bruno, or its agents, officers and employees to attack, set aside, void or annul, an approval of the City of San Bruno, or any advisory agency, appeal board or legislative body of the City of San Bruno, concerning the permits. The

City of San Bruno must promptly notify the Applicant of any such claim, action or proceeding and shall cooperate fully in the defense.

17. At the completion of construction of the improvements, the Applicant is obligated to provide all required information to the City including, but not limited to, all certifications, warranties, guarantees, proof of payment to outside agencies and as-built drawings (Vesting Tentative Map COA #82).
18. If questions raised at by the Planning Commission and the peer review architect have not been resolved at the time of Planning Commission review, these matters must be resolved between Staff and the applicant prior to issuing a building permit.

Police Department

All Police Department conditions are based the Police Officers' Standards of Training (POST) Crime Prevention Through Environmental Design (CPTED) standards. CPTED standards are recommendations to be applied as appropriate. The developer will work with the Police Department to develop a security plan for the building design.

19. LIGHTING

- Parking lots and associated garages, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness. Such lighting shall be equipped with vandal-resistant covers/lenses.
- All exterior doors shall have their own light source which will adequately illuminate entry/exit areas at all hours in order to make any person on the premises clearly visible and provide adequate illumination for persons entering and exiting the building.

20. LANDSCAPING

- Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planning materials are encouraged along fence and property lines and under vulnerable windows. Landscaping shall not conceal doors or window from view, obstruct visibility of the parking lot from the street or business buildings, nor provide access to the roof.

21. LINE OF SIGHT/NATURAL SURVEILLANCE

- Stairwells and elevator lobbies should be of open design whenever structurally possible.
- It is highly desirable to design an elevator shaft and cab to be transparent, making occupants of the cab visible from the outside.

- Single and double-binned trash enclosures should be located at the perimeter of the parking lot, not adjacent to buildings or contiguous to exterior building doors.
- Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls, and interior hallways.
- Convex mirrors should be installed in elevator cabs and at stairwell landings.
- Glass-walled stairwells, located at the corner of the structures, are recommended to afford a broad angle of visibility day and night from exterior areas and parking lots. It also affords extra visibility of the exterior lots/areas from the structure, which in turn deters crime.

22. PARKING STRUCTURE

- The interior of the structure should be painted a light, highly reflective color.
- Metal halide, or other bright white light source, should be utilized. No dark areas should exist inside the structure.
- Alcoves and other visible obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns and other open construction should be utilized over a solid wall design.
- Whenever possible, stairwells should be of open design. When, by necessity, a stairwell is enclosed, convex mirrors should be placed at each stairwell landing, and the stairwell doors should employ as much transparent material as fire code allows.
- Convex mirrors should be placed inside elevator cabs.
- Bars or grating should be utilized to impede pedestrian access to the structure from ground level openings. Landscaping contiguous to this grating should be the type that does not block natural light fenestration into the garage.
- Access control should be utilized for vehicular and pedestrian traffic/.
- Clearly marked, hands-free emergency phones/panic alarms should be placed through the structure, if possible
- CCTV surveillance should be utilized throughout the structure.
- Panic alarms shall be utilized throughout the parking structure and be connected with an off-site security monitoring company.

23. SIGNAGE/PARKING LOT

- All entrances to parking areas shall be posted with appropriate signs per 22658(a) CVC, to assist in removal of vehicles at the property owner's/manager's request.
- All handicap parking stalls shall be appropriately painted and marked as per the California Vehicular Code.
- Compact-parking spaces shall be clearly marked on the pavement.

24. FENCING/BARRIERS

- Whenever possible, open fencing design such as wrought iron, tubular steel, or densely linked and heavy-posted chain-link should be utilized in order to maximize natural surveillance while establishing territoriality.

- Other barrier considerations include: block walls; decorative cement planters; access control to high valued storage areas; locked cages, rooms and safes; shipping and receiving door screens; bullet resistant enclosures with pass through for pick up and delivery; interior man trap enclosures to secure and separate shipping and receiving areas.

25. MISCELLANEOUS

- Stairwell landings should allow for a sixty-inch turning radius for use by the police and fire departments.

Building

26. Engineered retaining walls over 3 feet in height shall be constructed of approved durable material, to the satisfaction of the City Engineer, Planning Director, and Building Official (Vesting Tentative Map COA #31).
27. Prior to issuance of a building permit, the applicant shall provide confirmation that all residential finish floor elevations shall be at least 1 foot above the 100-year event water level for the calculated flows in the street (this should consider any backwater from the drainage system as it will be used for detention) (Vesting Tentative Map COA #32).
28. The building permit submittals shall demonstrate that the seismic design of all structures is consistent with the requirements of the Uniform Building Code (Vesting Tentative Map COA #127).
29. All homes shall be equipped with low-flow toilets, low-flow showerheads, drip irrigation and other water-saving devices. Other features that should be included if feasible include kitchen/bath hot water re-circulating systems, and faucet aerators (Vesting Tentative Map COA #130).

Fire Department

(All references to Codes refer to the San Bruno Municipal Codes in addition to state and national standards.)

30. All Fire Department standards for sprinklers, fire extinguishers, alarms exit signs, emergency vehicle access, fire lanes, and building egress shall be met in accordance with CFC, 2001 Edition.
31. Plans for all water supply, emergency access roadways, buildings and their fire life safety systems shall be submitted to the San Bruno Fire Department for review, comment and approval prior to construction (Vesting Tentative Map COA #133).

32. For any and all construction that requires Fire Code Permits, (i.e. Hot Works, Article 49 of the California Fire Code CFC), applicant shall pay all applicable application fees and comply with the requirements thereof (Vesting Tentative Map COA #134).
33. The applicant shall provide Fire Department emergency access in accordance with CFC, 2001 Edition, Section 902. In addition, where there are multi-story buildings that could require aerial ladder access, the vertical clearance requirements of section 902.2.2.2.1 shall be equal to the height of the building but not less than 50 feet, such that the aerial ladder can operate and access all windows and the roof without obstruction of power lines, lighting fixtures or trees (Vesting Tentative Map COA #135).
34. The applicant shall provide a water system in accordance with CFC, 2001 Edition, Section 903 that can provide the building fire-flow (fire hydrant) requirements, plus any fire sprinkler and standpipe water demands, in accordance with CFC, 2001 Edition, Appendix III-A & III-B (Vesting Tentative Map COA #136). Applicant shall submit fire flow calculations prior to issuance of building permit (Vesting Tentative Map COA #63)
35. The applicant shall provide the required number of fire hydrants in accordance with CFC, 2001 Edition, Section 903, as located by the San Bruno Fire Department, so as to comply with Appendix III-A & III-B depending upon the size (floor area & height) and type of construction (Vesting Tentative Map COA #137).
36. The applicant shall provide Fire-Protection Systems and Equipment in accordance with the San Bruno Municipal Code Chapter 11.04 BUILDING CODE and Chapter 11.24 FIRE CODE (Vesting Tentative Map COA #138).
37. For multi-story buildings, the applicant may be required to provide built-in Rescue Air systems to provide for re-supply of Self Contained Breathing Apparatus (SCBA's) for firefighters (Vesting Tentative Map COA #139).
38. Additional fire/life safety systems or equipment may be required depending upon the size and type of construction and occupancy of buildings (Vesting Tentative Map COA #140).
39. All project plans will provide required fire flow capability in accordance with CFC Appendix III-A prior to submission for review/comment. Reductions allowed as exceptions in the Fire Code will not be automatically approved (Vesting Tentative Map COA #141).

40. All fire hydrants will provide a minimum flow of 1500 gpm at 20# residual pressure at locations approved by the San Bruno Fire Department and will be protected from vehicular damage in an approved manner (Vesting Tentative Map COA #142).
41. Where buildings are provided with fire sprinkler systems, the Post-Indicator-Valve (PIV) OR detector check valve assembly shall be provided adjacent to the Fire Department Connection (FDC) and shall be installed with a finished height of 36" at locations approved by the San Bruno Fire Department. Location of the FDC shall be approved by the Fire Marshall. A fire hydrant will be adjacent to each FDC greater than 25' but not more than 50' away at locations approved by the San Bruno Fire Department (Vesting Tentative Map COA #143).
42. Buildings that are not staffed 24/7 will be provided with a Knox box key box at a location approved by the San Bruno Fire Department. Keys will include but not be limited to: Grand Master for all exterior openings and interior doors; elevator fire control key; a single key for the Fire Alarm panel and pull station reset; any other keys deemed necessary. More than one set of keys may be required (Vesting Tentative Map COA #144).
43. A fire alarm system shall be installed, and remote annunciators shall be provided at locations to be approved by the San Bruno Fire Department. The alarm system to be installed will be required to be a "UL Certified Installation". Floor plans 11" x 17" in size with a CAD program copy will be provided to illustrate location and type of all devices connected to the fire alarm system. All initiating devices will be individually detected, annunciated and monitored (Vesting Tentative Map COA #145).
44. Unless a building is staffed 24/7, the fire alarm and/or sprinkler system and any other fire systems, will be monitored by a UL listed Central Station (Vesting Tentative Map COA #146).
45. All buildings will be provided with address numbers illuminated during darkness and be of a size, color and location as approved by the San Bruno Fire Department. Buildings with individual offices or living units will be numbered as approved by the San Bruno Fire Department (Vesting Tentative Map COA #147). The address number shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than twelve (12) inches in height and of color contrasting with the background. In addition, any business in a location which affords vehicular access to the rear through any driveway, alleyway or parking lot shall also display the same numbers on the rear of the building.
46. Each different unit within a multiple-tenant building shall have its address prominently displayed on its front. (on units with stoops, we typically do not

address the stoop for security reasons) NOTE: The address numbers shall be placed above or near the front entrance and on each of the other three sides of the building. The goal is to make the addressing visible to responding emergency units arriving from any direction.

47. All plans submitted for fire department review will only be conditionally approved subject to successful field inspection and testing for compliance of NFPA, Title 19, California Fire Code with local amendments, regulations and standards (Vesting Tentative Map COA #148).
48. It is strongly recommended that buildings with metered gas service be provided with an approved excess-flow device or an approved earthquake shut-off valve (Vesting Tentative Map COA #150).
49. All Fire Department requirements will need to be satisfied and all permits/fees paid prior to occupancy (Vesting Tentative Map COA #151).
50. FIRE LANE AND HANDICAPPED AREA PAINTING
 - a. All raised curbing not designated as a parking area shall be marked as a "FIRE LANE" as required by California Vehicle Code section 22500.1.
 - b. Handicapped areas shall be marked as required in California Vehicle Code section 22511.8.

Public Works

General Conditions:

51. The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer. The project plan shall identify Best Management Practices appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with storm water runoff. The project plan measures shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
52. 48 hours prior to any excavation, U.S.A. shall be contacted to determine the location of underground facilities. The toll-free number is (800) 227-2600.
53. The construction contract document shall contain adequate provisions to restrict heavy construction traffic to the roadways in the haul route plan, to provide flag persons and other appropriate safety measures as necessary during extensive periods of heavy construction traffic, and to minimize truck parking and queuing on City of San Bruno streets prior to the opening of the site each morning.

54. Construction activities shall be limited to the times set forth in the Municipal Code (between seven a.m. and ten p.m., at a noise level of eighty-five decibels as measured at one hundred feet, or exceed between the hours of ten p.m. and seven a.m. a noise level of sixty decibels as measured at one hundred feet), except where revised in the permits for each particular project (Vesting Tentative Map COA #78).

Grading & Drainage:

55. The applicant shall submit a site specific geotechnical soil and foundation studies, report, and recommendations in regard to underlying soils, future subsidence, consolidation, liquefaction, seismic safety, water table, and perimeter lands, foundations of structures, and pavement structural sections. All Improvements shall reflect the recommendations contained within the reports. The reports shall be filed with the City Engineer, in conjunction with the Improvement Plans. The Applicant shall submit supplemental soils reports, as determined necessary by the City Engineer or project soils engineer, to clarify localized soil conditions and The soils engineer will review all fieldwork including, but not limited to, excavation, shoring, trenching, roadway sub-grade preparation and compaction, roadway finished subbase/base placement and compaction, and trenching (Vesting Tentative Map COA #13).
56. The applicant shall prepare a grading plan to the satisfaction of the City Engineer, and approved by the geotechnical engineer, indicating that plans are in compliance with the geotechnical report (Vesting Tentative Map COA #36).
57. Grading plan shall show all adjacent properties sufficient to assure that the proposed grading for the parcel does not negatively impact adjacent lands and shall incorporate drainage features necessary to assure continued drainage from adjacent properties (Vesting Tentative Map COA #40).
58. All surface drainage shall be sloped away from the building toward the street frontage at a minimum of one percent slope in accordance with the UBC code, and to the satisfaction of the City Engineer. All surface runoff shall be conveyed in a piped system and be tied to the City's storm drainage system (Vesting Tentative Map COA #59).
59. No drainage shall be permitted across any lot line other than onto streets or common areas, and to the satisfaction of the City Engineer, except within easements (Vesting Tentative Map COA #60).

60. If human skeleton remains are encountered during construction of grading operations, all work within twenty meters of the discovery shall be stopped immediately and the County Coroner notified. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage commission. Any cultural resources found on the project site shall be recorded or described in a professional report and submitted to the Northwest Information Center at Sonoma State University by the applicant (Vesting Tentative Map COA #80).
61. If grading is proposed to take place during the raptor breeding season, no grading activity shall take place within 500 feet of an active nest until the young have fledged (as determined by a qualified raptor biologist) (Vesting Tentative Map COA #129).
62. Prior to the awarding of contracts for grading and construction, the applicant shall provide the Public Works Department with a plan indicating the amount of soil to be removed, the number of truck trips required and the proposed haul routes. A survey of the conditions of the road surfaces (including sidewalks, curbs and gutters) to be used during construction shall be conducted jointly by representatives of the City of San Bruno and the Applicant to document the condition of the roadway prior to the beginning of the grading. A similar survey shall be conducted near the completion of the construction or after at least 95% of all major heavy construction traffic on the roadways associated with the project is completed. The applicant shall be responsible for any reasonable repair to those sections or portions, and if necessary, the entire roadway length used for construction traffic, necessary to return the roadway to a condition that it reasonably can be projected that the roadway would be in were there no construction-related traffic generated by the proposed project. It shall be the sole option of the Applicant whether the work is performed by the project contractor, an outside contractor, or by the City of San Bruno forces after reasonable and equitable payment by the Applicant. All work and materials shall conform to published City of San Bruno road standards in effect at the time that the contract for construction is bid (Vesting Tentative Map COA #105).
63. Prior to the issuance of any permits, a certificate of insurance shall be provided to the City to verify that both the owner and the grading contractor have public liability insurance. The amount and type of insurance shall be reviewed by the City and shall be sufficient to cover damages that may result from the grading operation, such as mudflows or flooding onto adjacent properties. The insurance limits shall be a minimum of \$1,000,000 combined single limit coverage and the policy shall be subject to review and approval of the City Attorney (Vesting Tentative Map COA #110).

Best Management Practices:

64. The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and the implementation of such measures. Failure to comply with the approved construction BMP's will result in the issuance of correction notices, citations, or a project stop order.
65. In conjunction with submittal of the grading plan, the applicant shall file a Notice of Intent for storm water discharge with the Regional Water Quality Control Board and submit a copy to the City Engineer (Vesting Tentative Map COA #42).
66. The applicant shall prepare and submit a grading plan with appropriate erosion control measures for the over all grading of the parcel showing runoff containment until the parcel is developed with post-construction BMPs. Temporary control structures provides after demolition shall remain in place until parcels are developed. A maintenance plan shall be submitted to the City Engineer indicating the contractor responsible for maintaining the erosion control plan for the duration of the construction. This shall include dust control, but not limited to BMPs as outlined in the SWPPP, to the satisfaction of the City of San Bruno and shall meet all RWQCB requirements (Vesting Tentative Map COA #34).
67. Prior to the issuance of a grading permit, the applicant shall obtain from the California State Water Resources Control Board a General Construction Activity Storm Water Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of storm water discharges during construction activities. The permit shall include any work by public and/or private utilities performing work on behalf of the applicant (Vesting Tentative Map COA #35).
68. The SWPPP shall be amended and resubmitted to the City of San Bruno and the Regional Water Quality Control Board prior to the approval of the plans, and subsequent to the approval and issuance of grading and building permit associated with the development Vesting Tentative Map COA #43).
69. In order to reduce dust and airborne particles the applicant will implement the following mitigation measures:
- a) Provide equipment and staffing for watering of all exposed or disturbed soils surface at least twice daily, including weekends and holidays. An appropriate dust palliative or suppressant, added to water before application, should be utilized;
 - b) Suspend earthmoving or other dust producing activities during periods of high winds;
 - c) All haul trucks shall use effective covers;
 - d) Plant erosion control landscaping as soon as possible after grading; and
 - e) The applicant shall designate a person to monitor the dust-control program and oversee implementation of dust-control strategies.

70. The applicant shall provide person hole access at the point where the on-site storm water leaves the property and enters into the City's storm drain system and install sediment traps or other similar devices throughout the project to reduce sediment migration into storm drains, as appropriate.
71. Prior to the issuance of the building permit, the applicant shall incorporate adequate storage space for project recyclable and compostable materials. This shall include adequate storage space on each floor of each building and its enclosed garbage areas, as well as adequate loading space, to accommodate the City of San Bruno's recycling program (Vesting Tentative Map COA #25).
72. During construction, the Applicant shall ensure that a program of dust control is implemented consistent with BAAQMD requirements (Vesting Tentative Map COA #74).
73. The Approved SWPPP shall be maintained on site during construction, and shall be amended as appropriate during development. The Applicant shall ensure that the SWPPP is amended prior to the approval of a grading plan (Vesting Tentative Map COA #75).
74. A water tank or on-site water shall be maintained at the site, and utilized for dust control during the duration of the project construction, including holidays, and weekends (Vesting Tentative Map COA #76).
75. All construction equipment shall be properly tuned and maintained to keep emissions of NOX to a minimum during construction. Maintenance records shall be kept on-site for all construction vehicles. Properly muffled construction equipment and trucks, in accordance with manufacturer specifications, shall be used (Vesting Tentative Map COA #81).

Onsite & Offsite Improvements:

76. Applicant shall obtain all required encroachment permits from Caltrans, SFPUC and other agencies for construction within their jurisdiction (Vesting Tentative Map COA #93).
77. All public and pedestrian facilities shall be designed in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act, including pedestrian ramps at all curb returns or round corners (Vesting Tentative Map COA #112).

Sanitary Sewers:

78. Prior to issuance of a building permit, the Applicant shall pay for all on-site service connection fees (Vesting Tentative Map COA #48).

Storm Drains:

79. Permanent storm drain water pollution control devices and filters shall be furnished, constructed, installed and maintained within the project's drainage system, as appropriate.

Utilities:

80. All electrical and communication lines, service cabinets, and devices shall be placed underground within the property being developed. Pull boxes, junction structures, vaults, valves, and similar devices shall not be installed within any pedestrian walkway areas, unless otherwise approved in the PDP.

Water:

81. Prior to issuance of building permit, Applicant shall pay all on-site service connection fees (Vesting Tentative Map COA #62).

82. All on-site facilities, backflow devices, and connections shall be designed and constructed by the Applicant in accordance with the City Standards and to the satisfaction of the City Engineer (Vesting Tentative Map COA #64).

83. All landscaping shall be properly maintained and comply with the City of San Bruno Water Efficient Landscape and Irrigation Guidelines (Vesting Tentative Map COA #106).

Chair Sammut advised of 10-day appeal process

A brief intermission was taken to change the video tape.

Chair Sammut took this opportunity to thank Architectural design consultant Larry Cannon for his peer review of The Village at the Crossing.

12. Paragon Apartments (901 Commodore Avenue (LOT 2) - Navy Site Specific Plan Area)

Request for a Planned Development and Architectural Review Permit to construct a 185-unit, four (4) story apartment building with two levels of parking, one at grade and one below grade, on Lot Two of The Crossing for the purpose of developing the site in conformance with the adopted U.S. Navy Site Specific Plan, per Chapters 12.96.190 and 12.108.010 (A). Regis Homes & TMG Partners (Owner/Applicant), McLarand Vasques Emsiek & Partners, Inc. (Architects).

Housing and Redevelopment Manager Sullivan entered the staff report. Staff recommends approval of PD-04-01 and AR-04-09 based on Findings for Approval 1-8 and Conditions for Approval 1-83 as well as any conditions or modifications which the Planning Commission may suggest at this hearing.

Commissioner Marshall asked whether this project would affect or be affected by the parking requirements for the hotel site proposed for an adjacent lot. Housing and Redevelopment Manager Sullivan stated that these parking issues would be addressed by the future hotel developer.

Drew Hudacek, representing the applicant Regis Homes, introduced his project team: David Cropper of TMG Partners, Chek Tang with MBE Architects, and Paul Lattierri with the Gazardo Partnership. Mr. Hudacek described the proposed project. Mr. Tang described the architectural and urban-design aspects of the proposed project. Mr. Lattierri described the landscape plan for the proposed project.

Commissioner Marshall asked about the perceived rentability of the stoop-entranced units versus those on higher floors. The applicant, Mr. Hudacek, stated that the greatest demand in the existing Meridian project was for the ground floor and the top floor. Some people see the stoop-entranced units as a possible security concern.

Commissioner Chase commended the applicant on his color-board.

Public Comment Opened

Peer review architect Larry Cannon praised both the architect and the developer. He made himself available to answer any Commission questions. Chair Sammut thanked Mr. Cannon for his efforts on the City's behalf.

Public Comment Closed

Motion to approve PD-04-01 and AR-04-09 subject to Findings of Fact 1-8 and Conditions of Approval 1-83.

Chase/Johnson

Chair Sammut stated that the same revisions with regard to Condition of Approval 43 be made to this application as were made to the previous application. The motion maker and second agreed with this revision to the motion.

VOTE: 7-0
AYES: All Commissioners
NOES:
ABSTAIN:

FINDINGS OF FACT

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, February 5, 2005, and notice mailed to property owners within 300 feet of the project site on February 4, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140. This project automatically goes to the City Council.
4. The proposed planned development permit amendment to allow construction of a 185-unit apartment building at the former Navy Site (Crossing Lot Two) will not unreasonably restrict or interfere with light and air on the property and other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, is consistent with the design and scale of the neighborhood and the use is compatible with existing uses in the area.
5. If the conditions of approval are met, the general appearance of the property will be in keeping with the character of the area, and will not be detrimental to the orderly and harmonious development of the City, and will not impair the desirability of investment or occupation in the neighborhood because the proposal is consistent with the Specific Plan for the site.
6. The proposal is consistent with the San Bruno General Plan, which calls for the area to be used for high-density residential purposes as amended with the Specific Plan.
7. The conditions of approval imposed on this application should provide sufficient control mechanisms to reduce potential negative impacts that may be associated with the proposed project.
8. The project conforms to the certified Specific Plan EIR.

CONDITIONS OF APPROVAL

General

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community

Development Department within 30 days of approval of PDP-04-01 and AR-04-09. Until such time as the Summary is filed, these permits shall not be valid for any purpose. These permits shall expire one (1) year from the date of City Council approval unless a building permit has been secured prior to the one (1) year date.

2. The project shall be built according to plans approved by the Planning Commission on February 15, 2005, included as an attachment except as required to be modified by the Conditions of Approval, City Council action, and/or agreement between applicant and Staff regarding the specific design issues raised in the staff report. Any modification to the approved plans shall require review and approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. All proposed business identification signs shall require prior city approval in accordance with The Crossing Master Signage Program.
6. The property is subject to a Maintenance Agreement between Martin/Regis San Bruno Associates, LLP and the City, recorded in the Official Records of San Mateo County as Document No. 2002-258605.
7. Trash containers must at all times be stored in appropriately designated trash areas.
8. The applicant shall provide regular cleaning of debris and litter on the property.
9. The applicant shall provide prompt cleaning/repainting of any graffiti on all building exteriors.
10. The applicant shall provide adequate water, sewer collection, storm drain and utility distribution systems to service the site. The applicant shall ensure adequate emergency vehicle access and fire hydrant coverage.
11. The following terms and conditions shall be complied with, perpetually go with the land and are hereby incorporated by reference and are summarized as follows (Vesting Tentative Map COA #4):

- a. The applicant shall comply with all terms and conditions in the Approved Development Agreement (DA), as shown in the City Council Ordinance 1653, and adopted January 8, 2002, which became effective thirty (30) days thereafter, and recorded 1/24/2002, O.R. Document #2004-023306, Assessor-County Clerk-Recorder, San Mateo County, and as may be amended from time to time, that were or are being assigned to the applicant pursuant to an Assignment and Assumption Agreement.
 - b. The applicant shall comply with the approved mitigation monitoring and reporting.
12. The applicant shall provide proof of payment to outside utility providers for all required service fees for this phase of construction (Vesting Tentative Map COA #8)
13. The development shall meet all the set back requirements as outlined in the Specific Plan and to the satisfaction of the Building Official, Planning Director, and City Engineer (Vesting Tentative Map COA #23).
14. The project shall include and meet all the necessary requirements of the City of San Bruno, and San Mateo Countywide Stormwater Pollution Prevention Program to the satisfaction of the City Engineer (Vesting Tentative Map COA #41).
15. A plan showing the location of any temporary contractor's storage yard or construction trailer on the property, including security fencing and lighting, shall be submitted to the Architectural Review Committee for approval prior to installation. Interim landscaping may be required by the ARC to screen a storage yard (Vesting Tentative Map COA #109).
16. Applicant shall defend, indemnify, and hold harmless the City of San Bruno, its agents, officers and employees from any claim, action or proceeding against the City of San Bruno, or its agents, officers and employees to attack, set aside, void or annul, an approval of the City of San Bruno, or any advisory agency, appeal board or legislative body of the City of San Bruno, concerning the permits. The City of San Bruno must promptly notify the Applicant of any such claim, action or proceeding and shall cooperate fully in the defense.
17. At the completion of construction of the improvements, the Applicant is obligated to provide all required information to the City including, but not limited to, all certifications, warranties, guarantees, proof of payment to outside agencies and as-built drawings (Vesting Tentative Map COA #82).
18. If questions raised at by the Planning Commission and the peer review architect have not been resolved at the time of Planning Commission review, these

matters must be resolved between Staff and the applicant prior to issuing a building permit.

Police Department

All Police Department conditions are based the Police Officers' Standards of Training (POST) Crime Prevention Through Environmental Design (CPTED) standards. CPTED standards are recommendations to be applied as appropriate. The developer will work with the Police Department to develop a security plan for the building design.

19.LIGHTING

- Parking lots and associated garages, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness. Such lighting shall be equipped with vandal-resistant covers/lenses.
- All exterior doors shall have their own light source which will adequately illuminate entry/exit areas at all hours in order to make any person on the premises clearly visible and provide adequate illumination for persons entering and exiting the building.]

20.LANDSCAPING

- Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planning materials are encouraged along fence and property lines and under vulnerable windows. Landscaping shall not conceal doors or window from view, obstruct visibility of the parking lot from the street or business buildings, nor provide access to the roof.

21.LINE OF SIGHT/NATURAL SURVEILLANCE

- Stairwells and elevator lobbies should be of open design whenever structurally possible.
- It is highly desirable to design an elevator shaft and cab to be transparent, making occupants of the cab visible from the outside.
- Single and double-binned trash enclosures should be located at the perimeter of the parking lot, not adjacent to buildings or contiguous to exterior building doors.
- Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls, and interior hallways.
- Convex mirrors should be installed in elevator cabs and at stairwell landings.
- Glass-walled stairwells, located at the corner of the structures, are recommended to afford a broad angle of visibility day and night from exterior areas and parking lots. It also affords extra visibility of the exterior lots/areas from the structure, which in turn deters crime.

22.PARKING STRUCTURE

- The interior of the structure should be painted a light, highly reflective color.
- Metal halide, or other bright white light source, should be utilized. No dark areas should exist inside the structure.
- Alcoves and other visible obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns and other open construction should be utilized over a solid wall design.
- Whenever possible, stairwells should be of open design. When, by necessity, a stairwell is enclosed, convex mirrors should be placed at each stairwell landing, and the stairwell doors should employ as much transparent material as fire code allows.
- Convex mirrors should be placed inside elevator cabs.
- Bars or grating should be utilized to impede pedestrian access to the structure from ground level openings. Landscaping contiguous to this grating should be the type that does not block natural light fenestration into the garage.
- Access control should be utilized for vehicular and pedestrian traffic/.
- Clearly marked, hands-free emergency phones/panic alarms should be placed through the structure, if possible
- CCTV surveillance should be utilized throughout the structure.
- Panic alarms should be utilized throughout the parking structure and be connected with an off-site security monitoring company.

23. SIGNAGE/PARKING LOT

- All entrances to parking areas shall be posted with appropriate signs per 22658(a) CVC, to assist in removal of vehicles at the property owner's/manager's request.
- All handicap parking stalls shall be appropriately painted and marked as per the California Vehicular Code.
- Compact-parking spaces shall be clearly marked on the pavement.

24. FENCING/BARRIERS

- Whenever possible, open fencing design such as wrought iron, tubular steel, or densely linked and heavy-posted chain-link should be utilized in order to maximize natural surveillance while establishing territoriality.
- Other barrier considerations include: block walls; decorative cement planters; access control to high valued storage areas; locked cages, rooms and safes; shipping and receiving door screens; bullet resistant enclosures with pass through for pick up and delivery; interior man trap enclosures to secure and separate shipping and receiving areas.

25. MISCELLANEOUS

- Stairwell landings should allow for a sixty-inch turning radius for use by the police and fire departments.

Building

26. Engineered retaining walls over 3 feet in height shall be constructed of approved durable material, to the satisfaction of the City Engineer, Planning Director, and Building Official (Vesting Tentative Map COA #31).
27. Prior to issuance of a building permit, the applicant shall provide confirmation that all residential finish floor elevations shall be at least 1 foot above the 100-year event water level for the calculated flows in the street (this should consider any backwater from the drainage system as it will be used for detention) (Vesting Tentative Map COA #32).
28. The building permit submittals shall demonstrate that the seismic design of all structures is consistent with the requirements of the Uniform Building Code (Vesting Tentative Map COA #127).
29. All homes shall be equipped with low-flow toilets, low-flow showerheads, drip irrigation and other water-saving devices. Other features that should be included if feasible include kitchen/bath hot water re-circulating systems, and faucet aerators (Vesting Tentative Map COA #130).

FIRE DEPARTMENT

(All references to Codes refer to the San Bruno Municipal Codes in addition to state and national standards.)

30. All Fire Department standards for sprinklers, fire extinguishers, alarms exit signs, emergency vehicle access, fire lanes, and building egress shall be met in accordance with CFC, 2001 Edition.
31. Plans for all water supply, emergency access roadways, buildings and their fire life safety systems shall be submitted to the San Bruno Fire Department for review, comment and approval prior to construction (Vesting Tentative Map COA #133).
32. For any and all construction that requires Fire Code Permits, (i.e. Hot Works, Article 49 of the California Fire Code CFC), applicant shall pay all applicable application fees and comply with the requirements thereof (Vesting Tentative Map COA #134).
33. The applicant shall provide Fire Department emergency access in accordance with CFC, 2001 Edition, Section 902. In addition, where there are multi-story buildings that could require aerial ladder access, the vertical clearance requirements of section 902.2.2.2.1 shall be equal to the height of the building but not less than 50 feet, such that the aerial ladder can operate and access all

windows and the roof without obstruction of power lines, lighting fixtures or trees (Vesting Tentative Map COA #135).

34. The applicant shall provide a water system in accordance with CFC, 2001 Edition, Section 903 that can provide the building fire-flow (fire hydrant) requirements, plus any fire sprinkler and standpipe water demands, in accordance with CFC, 2001 Edition, Appendix III-A & III-B (Vesting Tentative Map COA #136). Applicant shall submit fire flow calculations prior to issuance of building permit (Vesting Tentative Map COA #63)
35. The applicant shall provide the required number of fire hydrants in accordance with CFC, 2001 Edition, Section 903, as located by the San Bruno Fire Department, so as to comply with Appendix III-A & III-B depending upon the size (floor area & height) and type of construction (Vesting Tentative Map COA #137).
36. The applicant shall provide Fire-Protection Systems and Equipment in accordance with the San Bruno Municipal Code Chapter 11.04 BUILDING CODE and Chapter 11.24 FIRE CODE (Vesting Tentative Map COA #138).
37. For multi-story buildings, the applicant may be required to provide built-in Rescue Air systems to provide for re-supply of Self Contained Breathing Apparatus (SCBA's) for firefighters (Vesting Tentative Map COA #139).
38. Additional fire/life safety systems or equipment may be required depending upon the size and type of construction and occupancy of buildings (Vesting Tentative Map COA #140).
39. All project plans will provide required fire flow capability in accordance with CFC Appendix III-A prior to submission for review/comment. Reductions allowed as exceptions in the Fire Code will not be automatically approved (Vesting Tentative Map COA #141).
40. All fire hydrants will provide a minimum flow of 1500 gpm at 20# residual pressure at locations approved by the San Bruno Fire Department and will be protected from vehicular damage in an approved manner (Vesting Tentative Map COA #142).
41. Where buildings are provided with fire sprinkler systems, the Post-Indicator-Valve (PIV) OR detector check valve assembly shall be provided adjacent to the Fire Department Connection (FDC) and shall be installed with a finished height of 36" at locations approved by the San Bruno Fire Department. Location of the FDC shall be approved by the Fire Marshall. A fire hydrant will be adjacent to each

FDC greater than 25" but not more than 50' away at locations approved by the San Bruno Fire Department (Vesting Tentative Map COA #143).

42. Buildings that are not staffed 24/7 will be provided with a Knox box key box at a location approved by the San Bruno Fire Department. Keys will include but not be limited to: Grand Master for all exterior openings and interior doors; elevator fire control key; a single key for the Fire Alarm panel and pull station reset; any other keys deemed necessary. More than one set of keys may be required (Vesting Tentative Map COA #144).
43. A fire alarm system shall be installed, and remote annunciators shall be provided at locations to be approved by the San Bruno Fire Department. The alarm system to be installed will be required to be a "UL Certified Installation". Floor plans 11" x 17" in size with a CAD program copy will be provided to illustrate location and type of all devices connected to the fire alarm system. All initiating devices will be individually detected, annunciated and monitored (Vesting Tentative Map COA #145).
44. Unless a building is staffed 24/7, the fire alarm and/or sprinkler system and any other fire systems, will be monitored by a UL listed Central Station (Vesting Tentative Map COA #146).
45. All buildings will be provided with address numbers illuminated during darkness and be of a size, color and location as approved by the San Bruno Fire Department. Buildings with individual offices or living units will be numbered as approved by the San Bruno Fire Department (Vesting Tentative Map COA #147). The address number shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than twelve (12) inches in height and of color contrasting with the background. In addition, any business in a location which affords vehicular access to the rear through any driveway, alleyway or parking lot shall also display the same numbers on the rear of the building.
46. Each different unit within a multiple-tenant building shall have its address prominently displayed on its front. (on units with stoops, we typically do not address the stoop for security reasons) NOTE: The address numbers shall be placed above or near the front entrance and on each of the other three sides of the building. The goal is to make the addressing visible to responding emergency units arriving from any direction.
47. All plans submitted for fire department review will only be conditionally approved subject to successful field inspection and testing for compliance of NFPA, Title 19, California Fire Code with local amendments, regulations and standards (Vesting Tentative Map COA #148).

48. It is strongly recommended that buildings with metered gas service be provided with an approved excess-flow device or an approved earthquake shut-off valve (Vesting Tentative Map COA #150).
49. All Fire Department requirements will need to be satisfied and all permits/fees paid prior to occupancy (Vesting Tentative Map COA #151).
50. FIRE LANE AND HANDICAPPED AREA PAINTING
- a. All raised curbing not designated as a parking area shall be marked as a "FIRE LANE" as required by California Vehicle Code section 22500.1.
 - b. Handicapped areas shall be marked as required in California Vehicle Code section 22511.8.

Public Works

General Conditions:

51. The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer. The project plan shall identify Best Management Practices appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with storm water runoff. The project plan measures shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
52. 48 hours prior to any excavation, U.S.A. shall be contacted to determine the location of underground facilities. The toll-free number is (800) 227-2600.
53. The construction contract document shall contain adequate provisions to restrict heavy construction traffic to the roadways in the haul route plan, to provide flag persons and other appropriate safety measures as necessary during extensive periods of heavy construction traffic, and to minimize truck parking and queuing on City of San Bruno streets prior to the opening of the site each morning.
54. Construction activities shall be limited to the times set forth in the Municipal Code (between seven a.m. and ten p.m., at a noise level of eighty-five decibels as measured at one hundred feet, or exceed between the hours of ten p.m. and seven a.m. a noise level of sixty decibels as measured at one hundred feet), except where revised in the permits for each particular project (Vesting Tentative Map COA #78).

Grading & Drainage:

55. The applicant shall submit a site specific geotechnical soil and foundation studies, report, and recommendations in regard to underlying soils, future subsidence, consolidation, liquefaction, seismic safety, water table, and perimeter lands, foundations of structures, and pavement structural sections. All Improvements shall reflect the recommendations contained within the reports. The reports shall be filed with the City Engineer, in conjunction with the Improvement Plans. The Applicant shall submit supplemental soils reports, as determined necessary by the City Engineer or project soils engineer, to clarify localized soil conditions and The soils engineer will review all fieldwork including, but not limited to, excavation, shoring, trenching, roadway sub-grade preparation and compaction, roadway finished subbase/base placement and compaction, and trenching (Vesting Tentative Map COA #13).
56. The applicant shall prepare a grading plan to the satisfaction of the City Engineer, and approved by the geotechnical engineer, indicating that plans are in compliance with the geotechnical report (Vesting Tentative Map COA #36).
57. Grading plan shall show all adjacent properties sufficient to assure that the proposed grading for the parcel does not negatively impact adjacent lands and shall incorporate drainage features necessary to assure continued drainage from adjacent properties (Vesting Tentative Map COA #40).
58. All surface drainage shall be sloped away from the building toward the street frontage at a minimum of one percent slope in accordance with the UBC code, and to the satisfaction of the City Engineer. All surface runoff shall be conveyed in a piped system and be tied to the City's storm drainage system (Vesting Tentative Map COA #59).
59. No drainage shall be permitted across any lot line other than onto streets or common areas, and to the satisfaction of the City Engineer, except within easements (Vesting Tentative Map COA #60).
60. If human skeleton remains are encountered during construction of grading operations, all work within twenty meters of the discovery shall be stopped immediately and the County Coroner notified. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage commission. Any cultural resources found on the project site shall be recorded or described in a professional report and submitted to the Northwest Information Center at Sonoma State University by the applicant (Vesting Tentative Map COA #80).
61. If grading is proposed to take place during the raptor breeding season, no grading activity shall take place within 500 feet of an active nest until the young have fledged (as determined by a qualified raptor biologist) (Vesting Tentative Map COA #129).

62. Prior to the awarding of contracts for grading and construction, the applicant shall provide the Public Works Department with a plan indicating the amount of soil to be removed, the number of truck trips required and the proposed haul routes. A survey of the conditions of the road surfaces (including sidewalks, curbs and gutters) to be used during construction shall be conducted jointly by representatives of the City of San Bruno and the Applicant to document the condition of the roadway prior to the beginning of the grading. A similar survey shall be conducted near the completion of the construction or after at least 95% of all major heavy construction traffic on the roadways associated with the project is completed. The applicant shall be responsible for any reasonable repair to those sections or portions, and if necessary, the entire roadway length used for construction traffic, necessary to return the roadway to a condition that it reasonably can be projected that the roadway would be in were there no construction-related traffic generated by the proposed project. It shall be the sole option of the Applicant whether the work is performed by the project contractor, an outside contractor, or by the City of San Bruno forces after reasonable and equitable payment by the Applicant. All work and materials shall conform to published City of San Bruno road standards in effect at the time that the contract for construction is bid (Vesting Tentative Map COA #105).
63. Prior to the issuance of any permits, a certificate of insurance shall be provided to the City to verify that both the owner and the grading contractor have public liability insurance. The amount and type of insurance shall be reviewed by the City and shall be sufficient to cover damages that may result from the grading operation, such as mudflows or flooding onto adjacent properties. The insurance limits shall be a minimum of \$1,000,000 combined single limit coverage and the policy shall be subject to review and approval of the City Attorney (Vesting Tentative Map COA #110).

Best Management Practices:

64. The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and the implementation of such measures. Failure to comply with the approved construction BMP's will result in the issuance of correction notices, citations, or a project stop order.
65. In conjunction with submittal of the grading plan, the applicant shall file a Notice of Intent for storm water discharge with the Regional Water Quality Control Board and submit a copy to the City Engineer (Vesting Tentative Map COA #42).
66. The applicant shall prepare and submit a grading plan with appropriate erosion control measures for the over all grading of the parcel showing runoff containment until the parcel is developed with post-construction BMPs. Temporary control structures provides after demolition shall remain in place until parcels are developed. A maintenance plan shall be submitted to the City

Engineer indicating the contractor responsible for maintaining the erosion control plan for the duration of the construction. This shall include dust control, but not limited to BMPs as outlined in the SWPPP, to the satisfaction of the City of San Bruno and shall meet all RWQCB requirements (Vesting Tentative Map COA #34).

67. Prior to the issuance of a grading permit, the applicant shall obtain from the California State Water Resources Control Board a General Construction Activity Storm Water Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of storm water discharges during construction activities. The permit shall include any work by public and/or private utilities performing work on behalf of the applicant (Vesting Tentative Map COA #35).
68. The SWPPP shall be amended and resubmitted to the City of San Bruno and the Regional Water Quality Control Board prior to the approval of the plans, and subsequent to the approval and issuance of grading and building permit associated with the development Vesting Tentative Map COA #43).
69. In order to reduce dust and airborne particles the applicant will implement the following mitigation measures:
 - a. Provide equipment and staffing for watering of all exposed or disturbed soils surface at least twice daily, including weekends and holidays. An appropriate dust palliative or suppressant, added to water before application, should be utilized;
 - b. Suspend earthmoving or other dust producing activities during periods of high winds;
 - c. All haul trucks shall use effective covers;
 - d. Plant erosion control landscaping as soon as possible after grading; and
 - e. The applicant shall designate a person to monitor the dust-control program and oversee implementation of dust-control strategies.
70. The applicant shall provide person hole access at the point where the on-site storm water leaves the property and enters into the City's storm drain system and install sediment traps or other similar devices throughout the project to reduce sediment migration into storm drains, as appropriate.
71. Prior to the issuance of the building permit, the applicant shall incorporate adequate storage space for project recyclable and compostable materials. This shall include adequate storage space on each floor of each building and its enclosed garbage areas, as well as adequate loading space, to accommodate the City of San Bruno's recycling program (Vesting Tentative Map COA #25).

72. During construction, the Applicant shall ensure that a program of dust control is implemented consistent with BAAQMD requirements (Vesting Tentative Map COA #74).
73. The Approved SWPPP shall be maintained on site during construction, and shall be amended as appropriate during development. The Applicant shall ensure that the SWPPP is amended prior to the approval of a grading plan (Vesting Tentative Map COA #75).
74. A water tank or on-site water shall be maintained at the site, and utilized for dust control during the duration of the project construction, including holidays, and weekends (Vesting Tentative Map COA #76).
75. All construction equipment shall be properly tuned and maintained to keep emissions of NOX to a minimum during construction. Maintenance records shall be kept on-site for all construction vehicles. Properly muffled construction equipment and trucks, in accordance with manufacturer specifications, shall be used (Vesting Tentative Map COA #81).

Onsite & Offsite Improvements:

76. Applicant shall obtain all required encroachment permits from Caltrans, SFPUC and other agencies for construction within their jurisdiction (Vesting Tentative Map COA #93).
77. All public and pedestrian facilities shall be designed in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act, including pedestrian ramps at all curb returns or round corners (Vesting Tentative Map COA #112).

Sanitary Sewers:

78. Prior to issuance of a building permit, the Applicant shall pay for all on-site service connection fees (Vesting Tentative Map COA #48).

Storm Drains:

79. Permanent storm drain water pollution control devices and filters shall be furnished, construction, installed and maintained within the project's drainage system, as appropriate.

Utilities:

80. All electrical and communication lines, service cabinets, and devices shall be placed underground within the property being developed. Pull boxes, junction

structures, vaults, valves, and similar devices shall not be installed within any pedestrian walkway areas, unless otherwise approved in the PDP.

Water:

81. Prior to issuance of building permit, Applicant shall pay all on-site service connection fees (Vesting Tentative Map COA #62).

82. All on-site facilities, backflow devices, and connections shall be designed and constructed by the Applicant in accordance with the City Standards and to the satisfaction of the City Engineer (Vesting Tentative Map COA #64).

83. All landscaping shall be properly maintained and comply with the City of San Bruno Water Efficient Landscape and Irrigation Guidelines (Vesting Tentative Map COA #106).

Chair Sammut advised of 10-day appeal period.

13. City Staff Discussion

Planning Manager Akin informed the Commission that he will be presenting a current-projects update at the March Planning Commission meeting.

Planning Manager Akin gave an update on Alcoholic Beverage Control (ABC) issues that arose at a prior Planning Commission meeting. It was determined that, so long as an applicant has proper approval from ABC and the driver is over age 21, alcohol can be delivered. Also, it was determined that there is to be no on-site alcohol consumption after 2:00am.

Planning Manager Akin also discussed the March ARC agenda, and stated that due to a large project load, it is likely that there will be two Planning Commission meetings in April.

14. Planning Commission Discussion

Selection of March Architectural Review Committee (March 10th): Biasotti, Mishra, Marshall; Alternate: Johnson.

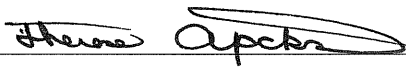
Commissioner Petersen stated that he will be giving an annual Planning Commission report to City Council next Tuesday, February 22, 2005. He stated that a draft of this report should be available towards the end of this week.

Commissioner Petersen questioned if minutes from previous Planning Commission meetings were available for his signature. Recording Secretary Finestone stated that Minutes from the November 2004, December 2004 and January 2005 Planning Commission meetings are available for signature.

Commissioner Johnson asked for the dates of the next Planning Commission and Architectural Review Committee meetings. Chair Sammut stated that the next Planning Commission meeting will be March 15, 2005, and the next Architectural Review Committee meeting will be March 10, 2005.

Commissioner Marshall stated that he feels that bringing cellular antenna projects which are only for the collocation of new antennas on existing towers is a misuse of both time and staff resources. He asked that staff attempt to determine a way to allow administrative approval of these collocations. Planning Manager Akin responded that this issue could be handled in two different ways. One way would be to condition every new tower to allow collocation by approval of City Staff. The long-range goal is to include a telecommunications ordinance within a future zoning code amendment.

15. Adjournment



Terry Jackson,
Interim Secretary to the Planning
Commission
City of San Bruno


JOEPA

Robert Sammut, Chair
Planning Commission
City of San Bruno

NEXT MEETING: March 15, 2005 @ 7:00pm

March 10 ARC –Biasotti/Mishra/Marshall; Alternate: Johnson

Meeting was adjourned at 9:24 pm.

TJ/af